

# **EXHIBIT 36**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**CIVIL ACTION NO. 16-1533**

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**Windsor Securities, LLC**  
Plaintiff,

**v.**

**Arent Fox, LLP**

And

**Julius Rousseau III, Esq.**

Defendants

**Expert Report**

Prepared by

Charles S. Lunden, CPA/ABV, CFE, CLU, FLMI, CMA  
Bederson LLP  
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West Chester PA 19380  
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April 2, 2018

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### **Exhibits**

- A Summary of Damages
- B Bitter Policy
- C Acker Policy
- D Collins Policy
- E Coppock Policy
- F Stamatov Policy
- G Other Legal Fees
- H Qualifications of Charles S. Lunden

## **Introduction**

In the litigation captioned *Windsor Securities, LLC. v Arent Fox LLP and Julius Rousseau III, Esq.*, counsel for the plaintiff, represented by Alan Frank Law Associates, has requested that Charles S. Lunden prepare an analysis of the damages allegedly sustained by the plaintiff. For purposes of my analysis, I have assumed liability on the part of the defendants, as alleged in the Complaint. My analysis was based on available documents provided by parties to the litigation, independent research, my education and my experience. I reserve the right to update my report if additional information becomes available. My firm is compensated for the time I spend on this project at the rate of \$455 per hour.

## **Background**

Windsor Securities, LLC (“Windsor”) makes life insurance premium financing loans, and invests in life insurance policies in the life settlement segment of the investment marketplace. It alleges that the legal work performed by the defendants caused it economic harm. The plaintiffs allege that the defendants’ actions or inactions caused Windsor to lose the full proceeds of three insurance policies, because an arbitration panel and other courts have determined Windsor was not entitled to the full proceeds, but only a portion, in security interests arising from the financing agreements. They allege that had Windsor been advised of the requirements to properly transfer absolute ownership of the policies, without ambiguity, and to perfect entitlement to the death benefits of certain policies, under either the default sales rights or as set forth in Section 9620 of California Code, it would have been successful in refuting the Insurance Trustee’s claims to entitlements to the death benefits. Windsor alleges it also incurred legal fees that would have been avoided, had the appropriate guidance been provided when the investment process was initiated.

I have been asked to measure the economic harm to Windsor, to restore them to the economic position they otherwise would have enjoyed but for the alleged misconduct of the defendants.

## Procedures Performed

1. Read the following documents:
  - Complaint and exhibits;
  - Plaintiff's Response to First Set of Interrogatories, including Windsor's check register showing excess legal fees paid in connection with the ownership disputes with the Insurance Trusts;
  - Legal invoices from Arent Fox, for selected payments noted above
  - Insurance Financial Packages, including copies of the insurance policies, for each of the 5 policies in dispute;
  - Settlement Agreements reached with the Trustees of the 5 insurance policies.
2. Consulted Dunn's Recovery of Damages for Lost Profits, 6<sup>th</sup> edition.
3. Measured the loss on each policy, by comparing the face amount of the policies to the settlement amounts obtained in settlement of the ownership dispute, for those insurance policies that have matured, and the settlement payments made to avoid similar issues on two policies that have not yet matured, as set forth on Exhibits B to G.
4. Measured the excess legal fees paid in connection with the ownership disputes with each policy Trustee, that would have been avoided, but for the alleged misconduct of the defendants, using the Windsor check registers referred to above.
5. Measured the time lag for each element of harm, and the related prejudgment interest at 9% simple interest, the rate in New York disputes.
6. Summarized the damages on Exhibit A.

7. Searched a national commercial research database, EBSCOHOST, to summarize literature describing issues in the life settlement segment of the marketplace during the relevant timeframe.

## **Results**

### **Research**

No other conditions in the life settlement sector, between 2010 and 2016 were identified in the EBSCOHOST database research, which might require adjustment to the damage measurement analysis.

### **Assumptions**

I have assumed that Windsor would have received the proceeds of the policies at maturity, 60 days after they matured, but for the alleged misconduct by the defendants. Accordingly, the prejudgment interest is measured at the full policy face amount, for the time before Windsor actually received a portion of those proceeds when they settled with the Trustees of the policies, and on the net amount of loss for the period of time after the Trust settlements were finalized.

### **Damages**

Exhibit A summarizes the damages the plaintiff suffered as a result of the alleged misconduct of the defendants.

**CERTIFICATION**

I hold the within opinions to a reasonable degree of professional certainty. This report is signed and certified by Charles S. Lunden.



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Charles S. Lunden

**Windsor Securities LLC v Arent Fox LLP et al.****Summary of Damages**

<b>Policy</b>	<b>Direct Damages</b>	<b>Prejudgment Interest</b>	<b>Source</b>
Bitter	1,784,115	1,051,364	Exhibit B
Acker	498,668	312,181	Exhibit C
Collins	1,411,603	690,190	Exhibit D
Coppock	163,416	53,372	Exhibit E
Stamatov	60,919	18,573	Exhibit F
Other Legal Fees	<u>103,269</u>	<u>83,514</u>	Exhibit G
Subtotal	4,021,990	2,209,195	
Total	6,231,184		

**Windsor Securities LLC v Arent Fox LLP et al.****Summary of Damages****Bitter Policy**

Estimated Trial Date 3/31/2019

## Formula

	Direct Damages	Date	Interest Years	Prejudgment Interest to Trial	Source
Policy Maturity	2,000,000	2/23/2013	1.94	348,626	A Policy, Settlement Agreement, plus 60 Days
Settlement With Trust	(650,000)	1/29/2015			B Bitter Settlement Agreement
Net Loss	1,350,000	1/29/2015	4.18	508,030	C=A+B
Legal fees in 2010	-	6/30/2010	8.78	-	Check Summary, Answers to Interrogatories
Legal fees in 2013	160,071	6/30/2013	5.77	83,114	Check Summary, Answers to Interrogatories
Legal fees in 2014	213,743	6/30/2014	4.77	91,692	Check Summary, Answers to Interrogatories
Legal fees in 2015	54,501	6/30/2015	3.76	18,461	Check Summary, Answers to Interrogatories
Legal fees in 2016	5,800	6/30/2016	2.76	1,440	Check Summary, Answers to Interrogatories
Subtotal	434,115			1,051,364	D
Direct Damages	1,784,115				E=D+C

**Windsor Securities LLC v Arent Fox LLP et al.****Summary of Damages****Acker Policy**

Estimated Trial Date	3/31/2019	Formula
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	Direct Damages	Date	Interest Years	Prejudgement Interest to Trial	Source
Policy Maturity	1,000,000	6/15/2014	1.78	160,467	A Policy, Settlement Agreement, plus 60 Days
Settlement With Trust	(720,648)	3/25/2016			B Acker Settlement Agreement
Net Loss	279,352	3/25/2016	3.02	76,047	C=A+B
Legal fees in 2013	-	6/30/2013	5.77	-	Check Summary, Answers to Interrogatories
Legal fees in 2014	36,643	6/30/2014	4.77	15,719	Check Summary, Answers to Interrogatories
Legal fees in 2015	161,345	6/30/2015	3.76	54,653	Check Summary, Answers to Interrogatories
Legal fees in 2016	21,328	6/30/2016	2.76	5,295	Check Summary, Answers to Interrogatories
Subtotal	219,316			312,181	D
Direct Damages	498,668				E=D+C

**Windsor Securities LLC v Arent Fox LLP et al.****Summary of Damages****Collins Policy**

Estimated Trial Date	3/31/2019	Formula
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	Direct Damages	Date	Interest Years	Prejudgment Interest to Trial	Source
Policy Maturity	2,000,000	8/19/2014	1.66	299,176	A Policy, Settlement Agreement, plus 60 Days
Settlement With Trust	(788,835)	4/15/2016			B Collins Settlement Agreement
Net Loss	1,211,165	4/15/2016	2.97	323,421	C=A+B
Legal fees in 2013	-	6/30/2013	5.77	-	Check Summary, Answers to Interrogatories
Legal fees in 2014	19,536	6/30/2014	4.77	8,381	Check Summary, Answers to Interrogatories
Legal fees in 2015	158,082	6/30/2015	3.76	53,548	Check Summary, Answers to Interrogatories
Legal fees in 2016	22,820	6/30/2016	2.76	5,665	Check Summary, Answers to Interrogatories
Subtotal	200,438			690,190	D
Direct Damages	1,411,603				E=D+C

**Windsor Securities LLC v Arent Fox LLP et al.****Summary of Damages****Coppock Policy**

Estimated Trial Date 3/31/2019 Formula

Direct Damages	Date	Interest Years	Prejudgment Interest to Trial	Source
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Policy Maturity	-	A
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Settlement With Trust	12,000	7/16/2016	B	Coppock Settlement Agreement
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Net Loss	12,000	7/16/2016	2.71	2,931	C=A+B
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Legal fees in 2013	-	6/30/2013	5.77	-	Check Summary, Answers to Interrogatories
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Legal fees in 2014	830	6/30/2014	4.77	356	Check Summary, Answers to Interrogatories
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Legal fees in 2015	140,371	6/30/2015	3.76	47,549	Check Summary, Answers to Interrogatories
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Legal fees in 2016	<u>10,215</u>	6/30/2016	2.76	<u>2,536</u>	Check Summary, Answers to Interrogatories
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Subtotal	151,416			53,372	D
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Direct Damages	163,416	E=D+C
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**Windsor Securities LLC v Arent Fox LLP et al.****Summary of Damages****Stamatov Policy**

Estimated Trial Date	3/31/2019	Formula
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	Direct Damages	Date	Interest Years	Prejudgment Interest to Trial	Source
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Policy Maturity	-	A
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Settlement With Trust	12,000	3/20/2016	B	Stamatov Settlement Agreement
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Net Loss	12,000	3/20/2016	3.04	3,282	C=A+B
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Legal fees in 2013	-	6/30/2013	5.77	-	Check Summary, Answers to Interrogatories
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Legal fees in 2014	530	6/30/2014	4.77	227	Check Summary, Answers to Interrogatories
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Legal fees in 2015	33,730	6/30/2015	3.76	11,426	Check Summary, Answers to Interrogatories
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Legal fees in 2016	<u>14,659</u>	6/30/2016	2.76	<u>3,639</u>	Check Summary, Answers to Interrogatories
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Subtotal	<u>48,919</u>			<u>18,573</u>	D
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Direct Damages	60,919	E=D+C
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**Windsor Securities LLC v Arent Fox LLP et al.****Summary of Damages****Other Legal Fees - Premium Finance**

Estimated Trial Date 3/31/2019

	Direct Damages	Date	Interest Years	Prejudgment Interest to Trial	Source
Legal fees in 2008	28,022	6/30/2008	10.79	27,202	Check Summary dated March 30, 2018, at 80%
Legal fees in 2009	47,731	6/30/2009	9.78	42,026	Check Summary dated March 30, 2018, at 80%
Legal fees in 2010	-	6/30/2010	8.78	-	Check Summary dated March 30, 2018
Legal fees in 2011	-	6/30/2011	7.78	-	Check Summary dated March 30, 2018
Legal fees in 2012	-	6/30/2012	6.77	-	Check Summary dated March 30, 2018
Legal fees in 2013	27,515	6/30/2013	5.77	14,287	Check Summary dated March 30, 2018
Legal fees in 2014	-	6/30/2014	4.77	-	Check Summary dated March 30, 2018
Legal fees in 2015	-	6/30/2015	3.76	-	Check Summary dated March 30, 2018
Legal fees in 2016	-	6/30/2016	2.76	-	Check Summary dated March 30, 2018
Subtotal	<hr/> 103,269		<hr/> 83,514		
Direct Damages	103,269				

## **Charles S. Lunden, CPA/ABV/CFF, CFE, CMA, CLU, FLMI**

### **Summary**

27 years diverse experience in litigation consulting and valuation, and 37 years comprehensive experience in financial, tax, and corporate management services, specializing in audit and management consulting for various real estate, healthcare and insurance services.

### **Professional Experience—Litigation Support**

<b>Partner- Bederson LLP</b>	2004 - present
<b>Director of Economic Consulting, ARCCA Incorporated, Penns Park, PA</b>	2001 - 2004
<b>Director of Consulting Services, GenTerra Consulting</b>	2000- 2001
<b>Director, CBIZ Business Solutions</b>	1995-2000
<b>Self-Employed Litigation Consultant</b>	1991-1995

Responsible for forensic accounting and economic consulting in the firm, focused on providing expert testimony and consulting services in the area of damage measurement, personal injury and wrongful death studies, business valuations, and accountant's malpractice. Expertise in bankruptcy and reorganizations, fraud investigations, insurance disputes, healthcare fraud and abuse, measuring damages for new and unestablished businesses. Experience in intellectual property disputes, construction delay damage cases, merger and acquisition disputes, lender liability issues, and employment disputes.

### **Industry Experience**

<b>Executive Vice President, Corporate Life Insurance Company</b>	1987-1991
<b>Treasurer, Investors Insurance Company</b>	1989-1990
<b>CFO, Provident Indemnity Life Insurance Company</b>	1985-1987

Responsible for financial reporting of two publicly traded insurance holding companies, with subsidiaries specializing in real estate, reinsurance, the sale of annuity products, and long term care health insurance products, and group health insurance. Completed registration statements with Securities and Exchange Commission for initial public offering. Responsible for presentation of financial information to decision makers, including board of directors and regulatory and taxing authorities, as well as shareholders. Significant merger and acquisition experience. Member of Board of Directors.

<b>Treasurer, Afuture Fund, Carlisle Asher Management Company</b>	1988-1990
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Responsible for financial reporting of a publicly traded no-load mutual fund, and its privately held registered investment advisor affiliate. Completed registration statements with Securities and Exchange Commission for initial public offering. Member of Board of Directors.

## Public Accounting Experience

<b>Manager, Ernst &amp; Whinney,</b>	1984-1985
<b>Senior, Ernst &amp; Whinney,</b>	1982-1984
<b>Staff Accountant, Arthur Young &amp; Co.</b>	1980-1982

Responsible for performance of audits of private and publicly held companies, including insurance companies, hospitals, manufacturing companies and service organizations. Measured damages in billion dollar Plywood antitrust class action case.

## Education

B.S., Economics, University of Pennsylvania, Wharton School of Business, 1980.  
Graduated with Honors, Member of Beta Alpha Psi, Accounting Honor Society

## Professional Certifications

Certified Public Accountant - Commonwealth of Pennsylvania – 1982 \*

Certified Management Accountant, 1981

Chartered Life Underwriter, 1985

Fellow of the Life Management Institute, 1984

Certified Fraud Examiner, 1997

Accredited in Business Valuations, 1998

Chartered Global Management Accountant, 2012

NASD Series 27 and 63 Securities Licenses, 2002\*\*

Certified in Financial Forensics 2008

\* Inactive from 1986 to 1992

\*\* Inactive since 2008

## Professional Affiliations

American Institute of Certified Public Accountants

Pennsylvania Institute of Certified Public Accountants

Chairman, Business Valuation Committee

Past Chairman, Forensic and Litigation Services Committee

Member, Committee on Fiscal Responsibility

Association of Certified Fraud Examiners

Editorial Board, National Litigation Consultants' Review

## **Articles**

Valuing Entities with Complex Capital Structures  
New Jersey CPA Society, November 2014 Issue

Discounting Future Damages  
Pennsylvania CPA Journal, Fall 2013

To Cite or Not To Cite, Techniques for Reports in Federal Estate Reports  
NACVA Quick Read Website, November 2012

Discounts on Embedded Capital Gains for Real Estate  
New Jersey CPA Society, September 2011 Issue

Theoretical Considerations from a Practical Valuator  
National Litigation Consultants' Review, October 2010 Issue

Down But Not Out, Valuation Adjustments to IPO studies  
The Value Examiner July 2009

Damages Case Law Update  
National Litigation Consultants' Review, February 2009 Issue

Fair Value Accounting and the SEC Roundtable- Search for the Holy Grail  
NJBIZ Accounting Spotlight, July 27, 2008

Owner's Compensation, S Corps and Economic Damages  
National Litigation Consultants' Review, March 2007 Issue

The Discounting of Future Economic Damages, at What Rate?  
National Litigation Consultants' Review, March 2004 Issue

## Presentations

<b>Option Pricing Models, Discounts for Marketability</b> Pennsylvania Institute of Certified Public Accountants	January 2018
<b>Updates in Fair Value Accounting, Tools for the Toolkit</b> PICPA Business Valuation and Forensic Conference	November 2017
<b>Current Issues in ESOP Valuations</b> Pennsylvania Institute of Certified Public Accountants	August 2017
<b>Court Case Update, Numbers and Narrative</b> National Conference, AGN, Pittsburgh PA	June 2017
<b>Risk Mitigation for Non Profit Board Members</b> State Council of NJ Junior League, Morristown NJ	April 2017
<b>Bankruptcy, Matrimonial and Tax Court Case Update</b> Pennsylvania Institute of Certified Public Accountants	April 2017
<b>QDRO Implementation Challenges</b> New Jersey Association of Professional Mediators	December 2016
<b>Latest Research on S corp Valuation Issues</b> Pennsylvania Institute of Certified Public Accountants	November 2016
<b>Central States Pension Issues, Valuation Court Case Updates</b> National Conference, AGN, San Diego CA	May 2016
<b>Asymmetric Information Risk and the Elasticity of Demand</b> Pennsylvania Institute of Certified Public Accountants	November 2015
<b>Sources of Fair Market Value Data</b> Pennsylvania Institute of Certified Public Accountants	November 2015
<b>Forensic Litigation Hot Topics</b> Pennsylvania Institute of Certified Public Accountants	November 2015
<b>2015 Gift and Estate Tax Court Case Update</b> Pennsylvania Institute of Certified Public Accountants- State Valuation Conference	October 2015
<b>Economic Issues in Divorce, Marital or Business Dissolution</b> The Laura Smith Radio Show WABC, New York	September 2015

<b>Social Media Implications and Economic Hot Topics</b> NJ CLE conference, West Orange NJ	September 2015
<b>Proving Theft of Trade Secret Damages</b> New Jersey Law Institute In House Counsel, Florham Park, NJ	June 2015
<b>Expert Testimony in Bankruptcy</b> National Conference, Association of Insolvency and Restructuring Advisors Philadelphia PA	June 2015
<b>Discounts for Lack Of Marketability and the Elasticity of Demand</b> National Conference, AGN, Atlanta, GA	May 2015
Pennsylvania Institute of Certified Public Accountants	January 2015
National Webinar, NACVA Conference	December 2014
<b>Jarwick v Wilf, Shareholder Oppression Issues</b> National Conference, AGN, Atlanta, GA	May 2015
Pennsylvania Institute of Certified Public Accountants	November 2014
<b>Bankruptcy Valuation Update</b> Inn of Court, New Jersey, North Division	November 2014
<b>2014 Damages and Divorce Court Case Update</b> Pennsylvania Institute of Certified Public Accountants- State Valuation Conference	November 2014
<b>2014 Valuation Court Case Update</b> National Conference, AGN, Colorado Springs, CO	May 2014
<b>Tax Court Case Update</b> Pennsylvania Institute of Certified Public Accountants- State Valuation Conference	November 2013
<b>Public Corruption Fraud Investigations</b> PA Association of County Controllers, Harrisburg PA	November 2013
Government Auditors Conference, Allentown PA	October 2013
<b>IRS Section 409A Valuations for Stock Option Purposes</b> Pennsylvania Institute of Certified Public Accountants	July 2013
<b>2013 Federal Gift and Estate Tax Court Case Update</b> National Conference, AGN, Hot Springs, VA	May 2013
<b>Update on Discounts for Future Damages</b> Pennsylvania Institute of Certified Public Accountants	November 2012
<b>Valuations for Forensic Accountants</b> Central PA CPA Conference	June 2012

<b>New Rules for Fair Value and Impairment Measurement</b> National Conference, AGN, Webinar	November 2011
<b>Discounting Future Damages in Pennsylvania</b> Pennsylvania Institute of Certified Public Accountants- State Forensic and Litigation Conference	November 2011
<b>Implications of the Gallagher Case</b> Pennsylvania Institute of Certified Public Accountants- State Valuation Conference	November 2011
<b>Goodwill Impairment Accounting</b> Pennsylvania Institute of Certified Public Accountants	June 2011
<b>2011 Estate Tax Court Case Update for Valuation Analysts</b> National Conference, AGN, Scottsdale, AZ	May 2011
<b>Tools for the Valuator's Toolkit</b> National Conference, AGN, Webinar	November 2010
<b>Expectations and Ethics</b> PICPA State Forensic Conference	November 2010
<b>Charter School Fraud Schemes in Philadelphia</b> Pennsylvania Institute of Certified Public Accountants	July 2010
<b>Tools for the Valuator's Toolkit</b> National Conference, AGN, Ashville, NC	June 2010
<b>Equity Risk Premiums in Distressed Markets</b> PICPA State Valuation Conference	November 2009
<b>Advanced Damage Measurement Principles</b> PICPA State Forensic Conference	November 2008
<b>Fair Value Implementation Challenges</b> Pennsylvania Institute of Certified Public Accountants	September 2008
<b>Advanced Topics in Damage Measurement Principles</b> National Conference, AGN, Seattle	May 2008
<b>Benefits of Mediation in Insolvency Proceedings</b> National Conference, Association of Insolvency and Restructuring Advisors Chicago	June 2007

<b>Advanced Damage Measurement Principles</b>	
PICPA State Forensic Conference	November 2006, 2008 October 1996
<b>Controversies in Subchapter S Corp Valuations</b>	
AGN North American Regional Meeting	May 2006
<b>Anatomy of a Forensic Investigation Involving a Public Official</b>	
Pennsylvania Institute of Certified Public Accountants	April 2006
<b>Accounting Shenanigans</b>	
Philadelphia Association of Paralegals	November 2002
<b>Claims Fraud</b>	
Delechester Claims Association	October, 2002
<b>Current Developments in Managed Care Insurance in Pennsylvania</b>	
Pennsylvania State Association of County Controllers	November 2001
<b>Fraud Issues for Government Auditors</b>	
Eastern Association of County Auditors and Controllers	September, 2001
<b>Financial Reporting for HealthChoices</b>	
Single County Authority Fiscal Officers Association	November 2000
<b>Best Practices in Business Valuations</b>	
PICPA/Montgomery County Bar Association	May 2000
<b>Risk Transfer Concepts</b>	
Pennsylvania State Association of County Controllers	April, 2002, 2000

**Charles S. Lunden:****LITIGATION EXPERIENCE**

CASE	MATTER	COURT	TESTIMONY
Ryan Fell v. McCool Properties LLC, et al.	Alter Ego Piercing the Corporate Veil	Court of Common Pleas Chester County, PA	Trial March 2018
TDN Money Systems. Inc., V Global Cash Access, Inc.	Damages Breach of Contract	United States District Court for the District of Nevada	Trial December 2017
IN Re: NJ Headwear, Inc.	Valuation Reorganization Value	United States Bankruptcy Court for the District of New Jersey	Confirmation Hearing October 2017
Ralph Furfaro et ux. V Durkin & Durkin, LLP et al.	Damages Legal Malpractice	Superior Court of New Jersey Morris County	Deposition September 2017
Spiniello Companies v. Lucas Builders Inc., et al.	Damages Theft of Trade Secrets Breach of Contract	United States District Court for the District of New Jersey	Deposition July 2017
IN Re: Voice Pulse, Inc.:	Valuation Intangible Assets	United States Bankruptcy Court for the District of New Jersey	Deposition January 2017
Dr. Russino V Women's Healthcare Group of PA	Damages Wrongful Termination	Arbitration American Health Lawyers Association Blue Bell, Pennsylvania	Arbitration December 2016
Rehabilitation Planning Inc v. Coach USA Inc., et. al.	Damages Defamation	Court of Common Pleas Philadelphia, PA	Trial December 2016
TDN Money Systems. Inc., V Global Cash Access, Inc.	Damages Breach of Contract	United States District Court for the District of Nevada	Deposition June 2016

CASE	MATTER	COURT	TESTIMONY
Attenuation Environmental Company v. Nuclear Regulatory Commission	Damages Bad Faith, Breach of Contract	US Civilian Board of Contract Appeals Washington DC	Trial June 2016
Ophthalmology Surgical Associates, et al. v. Frank De Petro CPA, et al.	Liability and Damages Accounting Malpractice	Superior Court of New Jersey; Bergen County, NJ	Deposition May 2016
Natural Dairy Products Corporation v. Heritage Equipment Company et al.	Damages Breach of Contract	Superior Court of Delaware New Castle County	Trial March 2016
Why Not Investments v. Nasser Nasser et al.	Damages Shareholder Dispute	Superior Court of New Jersey; Hudson County, NJ	Trial March 2016
Frame v. Frame	Divorce	Court of Common Pleas Chester County, PA	Hearing, March 2016
Why Not Investments v. Nasser Nasser et al.	Damages Shareholder Dispute	Superior Court of New Jersey; Hudson County, NJ	Deposition January 2016
Brandow Automotive Group et al v. Reed Smith	Damages Legal Malpractice	Court of Common Pleas Montgomery County, PA	Trial October 2015
In re: K Capital Corporation v. Wayne Knight 2021 Love Point LLC et al.	Solvency	United States Bankruptcy Court for the District of Maryland	Deposition July 2015
GMA Manufacturing v. Thomas Lloyd et al.	Valuation Damages Breach of Contract	Court of Common Pleas Montgomery County, PA	Trial July 2015

CASE	MATTER	COURT	TESTIMONY
Joe Capozzoli v. De Val Corporation	Damages Shareholder Dispute	Arbitration Philadelphia, PA	Hearing October 2014
Charles Goldstein, Chapter 7 Trustee for K Capital Corporation V Clifton Gunderson et al.	Accounting Malpractice Solvency Damages	Circuit Court for Baltimore County	Deposition June 2014
Buck Foston's v. City of New Brunswick	Damages Violation of Free Speech	United States District Court for the District of New Jersey	Trial April 2014  Deposition January 2014
IN RE: ZaZa, Inc.:  Cardo Windows v. Firas Emachah	Solvency Damages	United States Bankruptcy Court for the District of New Jersey	Deposition February 2014
Osco Motors Inc. v. Quality Mark Inc.	Damages Breach of Contract Tortious Interference	Arbitration Minneapolis, MN	Hearing January 2014
20 Whitehorse Pike M LLC v. Borough of Lawnsdale et al.	Damages Tortious Interference	United States District Court for the District of New Jersey	Deposition December 2013
Ron Kyle v. Apollomax LLC et al.	Damages Breach of Contract	United States District Court for the District of Delaware	Trial December 2013
Vertucci V Stebco	Damages Employment Dispute	Superior Court of New Jersey; Morris County, NJ	Trial November 2013

CASE	MATTER	COURT	TESTIMONY
Lance Mead v. BNI	Damages Value of a Franchise	Arbitration Los Angeles CA	Hearing September 2013
Ron Kyle v. Apollomax LLC et al.	Damages Breach of Contract	United States District Court for the District of Delaware	Hearing September 2013
Charles Stanziale Jr., on behalf of Integrated Packaging Corporation of New Jersey v. PepsiCo, Inc.	Damages Breach of Contract	United States District Court for the District of New Jersey	Deposition July 2013
Sunoco Logistic Partners v Ron Russo	Damages Breach of Contract Employment Dispute	Court of Common Pleas Chester County, PA	Trial June 2013
Vertucci V Stebco	Damages Employment Dispute	Superior Court of New Jersey; Morris County, NJ	Deposition May 2013
Ballarini v Emergency Management Physicians of York	Damages Shareholder Dispute	Court of Common Pleas York County, PA	Trial May 2013
Kyle V Appolomax	Damages Shareholder Dispute	United States District Court for the District of Delaware	Deposition April 2013
National Casualty Company V Cohen, Phillips & Seiden et al.	Accounting Malpractice Insurance Coverage Dispute	United States District Court for the Eastern District of New York	Deposition July, August 2012

CASE	MATTER	COURT	TESTIMONY
Regions Bank, et al V John Spitznagel et al.	Damages  Real Estate Dispute	In the Circuit Court for the 20 <sup>th</sup> Judicial Circuit, in and for Lee County, Florida	Trial April 2012  Deposition March 2012
Millwood Construction Ackerman Pratt Custom Builders V Short Hills Deli	Lost Profit Damages  Fire Claim	Superior Court of New Jersey; Camden County, NJ	Deposition February 2012
John Lyons et al. v. Baron Yeager Excavating	Economics  Personal Injury	Superior Court of New Jersey; Mercer County, NJ	Trial January 2012
Educational Impact et al. v. Ohio Association of Elementary School Administrators et al.	Damages  Defamation	United States District Court for the Southern District of Ohio	Deposition January 2012
Leonetti's Frozen Foods. v. Maglio's Fresh Foods et. al.	Damages  Misappropriation of a Brand	Court of Common Pleas Philadelphia, PA	Trial December 2011
Christopher Devone v. Richard Seifert	Valuation of Restricted stock,  Shareholder Dispute	Superior Court of New Jersey; Burlington County, NJ	Deposition December 2011
Vincent A Green, et al. v. Advance Products and Brush Co. et. al.	Damages  Defamation	Court of Common Pleas Philadelphia, PA	Trial November 2011
Industrial Technology Ventures LP V Pleasant T Rowland Trust et al.	Damages  Shareholder dispute	United States District Court for the Western District of New York	Deposition November 2011
Leonetti's Frozen Foods. v. Maglio's Fresh Foods et. al.	Damages  Unfair Competition	Court of Common Pleas Philadelphia, PA	Trial September 2011

CASE	MATTER	COURT	TESTIMONY
John Spitznagle V Jon Rubinton et al.	Damages  Disclosure Issues Real estate entity	United States District Court for the Middle District of Florida; Fort Myers Division	Deposition February 2011
Jarwick et al V Wilf et al.	Accounting and Damages Real Estate Dispute	Superior Court of New Jersey; Morris County, NJ	Deposition February 2011
In RE: Kimco Birmingham	Solvency  Real estate entity	United States Bankruptcy Court for the Eastern District of New York	Trial January 2011
Kaffrisen V Koltlikoff	Damages  Shareholder dispute	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Deposition January 2011
Conestoga Bank v. Randazzo Property Group et al.	Real Estate Damages, Construction Lending	Superior Court of New Jersey; Atlantic/Ocean County, NJ	Trial January 2011
In RE: Kimco Birmingham	Solvency Real estate entity	United States Bankruptcy Court for the Eastern District of New York	Deposition November 2010
Kaminer v. Kaminer	Valuation Insurance Agency	Superior Court of New Jersey; Camden County, NJ	Trial October 2010
Amptech Electric v. William Tucker	Shareholder Dispute Valuation	Superior Court of New Jersey; Gloucester County, NJ	Trial August 2010
Green Goblin, Inc. and Sabertooth LLC v. Warren Simons	Damages	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Deposition July 2010

CASE	MATTER	COURT	TESTIMONY
In RE: The Certo Group	Valuation	United States Bankruptcy Court for the District of New Jersey	Deposition June 2010
Amptech Electric v William Tucker	Shareholder Dispute Valuation	Superior Court of New Jersey; Gloucester County, NJ	Deposition April 2010
Mehmel et al. v Luchs et al.	Shareholder Dispute	Arbitration Wilmington, DE	Hearing March 2010
Wayne Schuh v. Ceridian Corporation	Damages Breach of Contract	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Deposition March 2010
Brandywine Promenade LLC v. REMED et al. v Brandywine Realty Trust	Damages Breach of Contract	Superior Court of New Jersey; Burlington County, NJ	Deposition November 2009
BG Balmer & Co v Frank Crystal & Company et. al.	Damages Breach of Contract	Court of Common Pleas Chester County, PA	Trial November 2009
Thomas Hawkinson v Oak Lawn Harvey Davidson LLC	Damages Personal Injury	Circuit Court Of Illinois Cook County	Deposition July 2009
Charles Alfonso v. Intercon Enterprises Kwan Woo Kim	Damages Breach of Contract	Court of Common Pleas Montgomery County, PA	Trial June 2009
Datasphere v. Computer Horizons Corp.	Damages Breach of Contract	United States District Court for the District of New Jersey	Trial March 2009

CASE	MATTER	COURT	TESTIMONY
Great American Opportunities, Inc. v Cherrydale Fundraising, LLC	Damages Unfair Competition	Chancery Court, Delaware	Trial January 2009 Depositions December 2008
Circle of Friends ADHC Inc. v. Felix Nedler et al.	Valuation Shareholder Dispute	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Trial November 2008
Datasphere v. Computer Horizons Corp.	Damages Breach of Contract	United States District Court for the District of New Jersey	Deposition June 2008
F Ashtayani MD v. H Ashtayani MD	Damages Shareholder Dispute	Superior Court of New Jersey Bergen County	Deposition June 2008
Jacob Stern & Company v. Jayant Oil , et al.	Damages Theft of Trade Secrets, Unfair Competition	Montgomery County, Pennsylvania	Trial May 2008
PMT Investments LLC v. Giardina Finishing Systems, Inc.	Damages Breach of Contract	United States District Court for the Northern District of Georgia	Deposition March 2008
Weichert of Maryland v. Long & Foster, et al.	Damages Breach of Employment Contract, Unfair Competition	Montgomery County, Maryland	Trial March 2008
Acme American Repairs V GK Alan Assoc Inc	Valuation Shareholder Dispute	Supreme Court of the State of New York County of Nassau	Trial February 2008

CASE	MATTER	COURT	TESTIMONY
Weichert of Maryland v. Long & Foster, et al.	Damages Breach of Employment Contract, Unfair Competition	Montgomery County, Maryland	Deposition January 2008
Dr. Seidner-Joseph v West Chester GI Associates	Valuation Surgical Center Shareholder Dispute	Arbitration American Health Lawyers Association Exton Pennsylvania	Hearing January 2008
Centrix HR LLC. v. On-Site Staffing et al.	Damages Breach of Contract	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Trial October 2007 January 2010
Parcels Corp v Joseph Cullen	Damages Breach of Contract	Chancery Court, Delaware New Castle County	Deposition October 2007
Scientific Alloy Corporation v Phil Jacobs	Valuation Shareholder Dispute	Arbitration Newark New Jersey	Hearing October 2007
Martha Eberhard, et al v American International Specialty Lines Insurance Company	Damages Bad Faith Insurance Claim	Arbitration Denver Colorado	Hearing April 2007
Elliott & Frantz, Inc. v. Ingersoll-Rand Company	Damages Breach of Contract	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Trial January 2007
Mainfine USA et al v D'Arco	Damages Breach of Contract	United States Bankruptcy Court for the District of New Jersey	Deposition October 2006
In RE: Meridian Benefit, Inc.	Insolvency	United States Bankruptcy Court for the District of New Jersey	Deposition September 2006

CASE	MATTER	COURT	TESTIMONY
Nutzz.com LLC v. Vertrue, Inc.	Damages Breach of Contract	Arbitration New York, NY	Deposition August 2006
Ultra Chemical v. PMC Group Inc.	Damages Breach of Contract	United States Bankruptcy Court for the District of New Jersey	Trial July 2006 Deposition May 2006
US Lubes v. Consolidated Motor Oils	Damages Breach of Contract	Superior Court of New Jersey; Middlesex County, NJ	Trial May 2006
Jasinski v. Paranac	Damages Shareholder Dispute	Arbitration Short Hills, New Jersey	Deposition October 2005
Penn Gear Chapter 7 Trustee v. Adelman Levine PC	Damages Professional Malpractice	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Trial May 2005
Paul Frank et al. v. Empire Carpets et al.	Damages Employment Dispute	Arbitration Philadelphia, PA	Hearing April 2005
Steve Gebaloff v. Joe Marino & Marino Gebaloff & Mayer	Damages Shareholder Dispute	Arbitration Newark New Jersey	Hearings May 2005 April 2005 March 2005
Siana, Bellwoar, & McAndrew LLP v. Joseph E Vaughan, Patricia S Duffy and Kevin L. Connors	Damages Shareholder Dispute	Arbitration Philadelphia, PA	Hearing March 2005
Elliott & Frantz, Inc. v. Ingersoll-Rand Company	Damages Breach of Contract	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Depositions February and March 2005

CASE	MATTER	COURT	TESTIMONY
WESCO Home Improvements v Transportation Insurance Company	Damages Breach of Contract	Circuit Court Of Illinois Cook County	Deposition November 2004
Jack Weiss v. P2P Business Development	Valuation of Business Interest Shareholder Dispute	Arbitration Kansas City, Kansas	Hearing October 2004
Meadowbrook Richman Inc. v Associated Financial Corporation	Damages Breach of Contract Insurance Fraud	United States District Court; Southern District of New York	Trial January 2004
Fried v. Prolease Atlantic Corporation et. al.	Damages Breach of Employment Contract	United States District Court for the District of Maryland	Deposition January 2004
Wedgewood Village Pharmacy v. Drug Enforcement Agency et. al.	Irreparable Harm Preliminary Injunction	United States District Court for the District of New Jersey; Camden, NJ	Hearing November 2003
Mash Enterprises et al. v. Prolease Atlantic Corporation et. al.	Damages Breach of Contract	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Trial November 2003

CASE	MATTER	COURT	TESTIMONY
Defibaugh v. Defibaugh	Equitable Distribution	Mediation Panel Philadelphia, PA	Hearings October 2003
Regal Custom Fixtures, Inc., v Parisi Inc. et. al.,	Damages Breach of Contract	Superior Court Of New Jersey Burlington County	Deposition July, August 2003
TA Title Insurance Company v Thomas Havey & Co, CPAs	Adequacy of Financial Statement Disclosures  Accountants Malpractice	Court of Common Pleas Delaware County, PA	Trial October 2002
Lessig Nuclear Associates, P.A. and Dr. Lessig v Robert L. Meckelnburg, M.D. et. al.	Damages Breach of Contract	Court of Common Pleas Chester County, PA	Trial July 2002
Medical Management Concepts v. Digirad Corporation et. al.	Damages Breach of Contract	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Deposition June 2002
Gemini Business Machines v. Ascom Hasler Mailing Systems et. al.	Damages Breach of Contract	Court of Common Pleas Montgomery County, PA	Trial May 2002
United States of America Ex re Deborah Riva Magid v. Barry Wilderman PC and North Penn Hospital	Medicare Fraud and Abuse	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Hearing April 2002
Meadowbrook Richman Inc. v Associated Financial Corporation	Damages Breach of Contract Insurance Fraud	United States District Court; Southern District of New York	Deposition November 2001

CASE	MATTER	COURT	TESTIMONY
Defibaugh v. Defibaugh	Equitable Distribution	Court of Common Pleas Montgomery County, PA	Hearings October 2001, January 2002 July 2002
In Re Frontier Insurance Group Securities Class Action	Adequacy of Disclosures in an SEC Filing	United States District Court for the Eastern District of New York	Hearing July 2001
Bishop v. McLaughlin	Valuation of Business Interests Contract Dispute Lost Profit Damages	American Arbitration Association Philadelphia, PA	Hearing June 2001
Silver v. Silver	Valuation of Business Interests over twenty years and Equitable Distribution	Arbitration Montgomery County, PA	Hearing January 2001
Neuburger and Scott v. Equipment Leasing Company of America	Valuation and Damages	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Deposition November 2000
Defibaugh v. Defibaugh	Equitable Distribution	Court of Common Pleas Montgomery County, PA	Trial August 2000
In RE: Main Line Physicians Organization	Business Valuation Contract Dispute	Court of Common Pleas Philadelphia, PA	Trial July 2000
United States of America Ex re Deborah Riva Magid v. Barry Wilderman PC and North Penn Hospital	Medicare Fraud and Abuse	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Deposition March 2000 April 2000
Katz v. Food Sciences Corporation	Lost Profit Damages Contract Dispute	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Trial March 2000
Kowanowski v. Regent National Bank	Lost Profit Damages Lender Liability	American Arbitration Association Philadelphia, PA	Hearing February 2000
ATI Centers Inc. v. ATI Resources Inc., et. al.	Lost Profit Damages Breach of Contract	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Deposition January 2000

CASE	MATTER	COURT	TESTIMONY
Trembowicz v. Arcidi et. al.	Valuation Lost Profit Damages Contract Dispute	Superior Court Essex County , Massachusetts	Deposition and Trial December 1999
Corestates Bank N.A. v. Philadelphia Authority for Industrial Development et. al.	Mortgage Foreclosure	Court of Common Pleas Philadelphia, PA	Trial November 1999
Donington Karcher et.al. v. Rosenberg Drucker et. al.	Lost Profit Damages Professional Malpractice	United States Bankruptcy Court District of New Jersey	Deposition August 1999
Jerry Borkon v. Walshire Assurance Company	Lost Profit Damages Contract Dispute	American Arbitration Association Philadelphia, PA	Hearing August 1999
Nova Telecom v. Best Rate Communications	Valuation Lost Profit Damages Contract Dispute	United States District Court for the District of Nevada	Deposition and Trial March 1999
Conduit and Foundation Corporation v. City of Cape Corral	Valuation Lost Profit Damages Construction Dispute	United States District Court for the Middle District of Florida	Deposition November 1998
In Re Frontier Insurance Group Securities Class Action	Adequacy of Disclosures in an SEC Filing	United States District Court for the Eastern District of New York	Deposition September 1998
Robert Billet Promotions Inc. v. IMI Cornelius, et. al.	Lost Profit Damages Breach of Oral Contract	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Daubert Hearing and Trial April 1998
Estate of Wayne Defontes	Valuation Nursing Home	Orphans Court, Baltimore County, Maryland	Trial December 1996
Frank Seidman and Kathleen Seidman v. American Mobile Systems, Inc. and Deloitte & Touche	Adequacy of Financial Statement Disclosure in an SEC Filing	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Deposition April 1996
Tabas et. al. v. Tabas et. al.	Fraud- Rico	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Deposition March 1996

CASE	MATTER	COURT	TESTIMONY
Suburban Federal Savings Bank v. First American Title Insurance Company	Computation of Damages Breach of Contract	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Trial and Deposition March 1996
Joan Baxter v. G. Kliwinski	Business Interruption	UIM Arbitration Montgomery County PA	Arbitration Hearing February 1995
Corporate Life Insurance Company v. Dan Wahl	Fraud Theft of Insurance Premiums	Court of Common Pleas; Allegheny County, PA	Trial November 1993
Charles Mann v. Tom James Company	Computation of Damages Breach of Contract	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Trial June 1993
Suburban Federal Savings Bank v. Maryland National Bank	Adequacy of Financial Statement Disclosures	United States District Court for the Eastern District of Pennsylvania; Philadelphia, PA	Deposition April 1993